

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

CYNTHIA TONEY,)
)
Plaintiff,)
)
v.) CIVIL ACTION NO. 2:06cv949-ID
)
MEDICAL DATA SYSTEMS, INC.,)
d/b/a MEDICAL REVENUE SERVICES,)
INC.,)
)
Defendant.)

ORDER ON MOTION

On August 8, 2007, the undersigned held a telephone conference with the parties' counsel concerning Plaintiff's Motion to Deem Facts as Admitted (Doc. #11), filed July 9, 2007, and Defendant's Response in Opposition to the Motion (Doc. #15). It was revealed during the conference that Defendant has complied with Plaintiff's requests for admissions on or about July 31, 2007. Plaintiff's counsel also conceded that it had not been prejudiced by Defendant's delay. Finally, upon the Court's request and in the spirit of compromise, Plaintiff's counsel orally agreed to withdraw the motion (Doc. #11). Accordingly, it is

ORDERED that the motion (Doc. #11) is WITHDRAWN and DENIED as MOOT.

DONE this 8th day of August, 2007.

/s/ Wallace Capel, Jr.
WALLACE CAPEL, JR.
UNITED STATES MAGISTRATE JUDGE